

1 MACE J. YAMPOLSKY, LTD.
2 MACE J. YAMPOLSKY, ESQ.
3 Nevada Bar No.: 001945
4 625 S. Sixth Street
5 Las Vegas, Nevada 89101
Tel: (702) 385-9777
Fax: (702) 385-3001
mace@macelaw.com
Attorney for Defendant

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA) Case No.: 2:09-cr-00132

9)
10 Plaintiff,) **UNOPPOSED MOTION TO MODIFY**
11) **RELEASE CONDITIONS AS TO**
12) **DEFENDANT MELISSA SPOONER**
13) **DUE TO FAMILY EMERGENCY**
14)
15 vs.)
16 MELISSA SPOONER,)
17)
18 Defendant.)
19)
20)
21)
22)
23)

24 Defendant MELISSA SPOONER, by and through her counsel, Mace J. Yampolsky, Esq.,
hereby moves to have her release conditions modified due to the impending death of her mother
in Virginia. Mrs. Spooner has been in failing health for some time but the situation has only
recently become so dire as to warrant request of the foregoing modification. Defendant
desperately wants to see her mother again before such time as she passes as a result of her
medical conditions

25 Previously, the Court imposed pre-trial release conditions on defendant Melissa Spooner.
These conditions included restricting her travel to Nevada and Pennsylvania.

On November 23, 2012, defendant notified her co-counsel Bart Stapert, Esq. that her stepmother has had a liver transplant which has taken a turn for the worse. According to defendant, her stepmother is on life support. Defendant seeks permission to travel to Virginia to support her father and sister.

Counsel has conferred with Assistant U.S. Attorney Michael Chu who confirmed that the United States does not object to modifying defendant's conditions to allow her to travel to Virginia.

Further, defendant's supervising pre-trial services officer Terry Wheaton has confirmed that defendant has complied with all of her pre-trial release conditions. Officer Wheaton also confirmed that he too has no objection to this motion.

In sum, Defendant asks for permission and prior authorization to travel in the coming days/weeks, or as soon as this Request is approved, to visit her ailing mother in Virginia. She will check in with Pre-trial Services as directed.

DATED this ____ day of November, 2012.

Mace J. Yampolsky, Esq.
625 South Sixth Street
Las Vegas, Nevada 89101
Counsel for Defendant
Melissa Spooner

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ORDER

IT IS THEREFORE ORDERED that:

1. The Defendant's request to modify her release conditions to enable her to travel to Virginia and visit with her dying mother is hereby granted.

DATED this 28th day of November, 2012.

IT IS SO ORDERED.

George Foley Jr.
United States Magistrate Judge